



General Assembly

January Session, 2005

Raised Bill No. 1315

LCO No. 4343

04343_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING REGIONAL BOARDS OF FINANCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2005*) (a) (1) Any town that is a
2 member of a regional school district may, pursuant to a vote of its
3 legislative body, petition the regional board of education to hold a
4 public district meeting concerning the establishment of a regional
5 board of finance to oversee the regional school district budget process.
6 Such meeting shall be held not later than thirty days after receipt of the
7 petition, at which all persons wishing to speak about the possible
8 establishment of the regional board of finance shall be heard. Not later
9 than thirty days after such meeting, the board shall set the date on
10 which referenda shall be held simultaneously in each of the member
11 towns. Such referenda shall be held not earlier than forty-five days
12 from the date of the petition and not later than seventy-five days from
13 the date of such petition. The regional board of education shall
14 immediately notify the town clerk of each member town of the date on
15 which referenda shall be held. Upon receipt of such notice, each town
16 clerk shall immediately file in the office of the Secretary of the State a
17 statement setting forth (A) the question, stated pursuant to the

18 provisions of subdivision (2) of this subsection, to appear on the voting
19 machine ballot labels at the referenda, (B) the date upon which the
20 submitting action was taken, and (C) the reference to law under which
21 the action was taken. The warning of such referenda shall be
22 published, the vote taken and the results of the vote canvassed and
23 declared in the same manner as is provided for the election of officers
24 of a town.

25 (2) The vote on the question shall be taken by a "yes" or "no" vote on
26 the voting machine and the designation of the question on the voting
27 machine ballot label shall be "Shall a regional board of finance be
28 established on (date)?" and the label used shall conform with the
29 provisions of section 9-250 of the general statutes. Such date of
30 establishment shall be no later than ten days after the date of the
31 referenda. If the majority of the votes in each of the member towns is
32 affirmative, a regional board of finance shall be established.

33 (3) A certificate of the results of such vote shall be recorded in the
34 office of the clerk of each member town and a certified copy thereof
35 shall be filed by such clerks in the office of the Secretary of the State,
36 who shall record the same. All rights and powers conferred and duties
37 and obligations imposed by this section, subsection (c) of section 7-392
38 of the general statutes, section 10-51 of the general statutes, as
39 amended by this act, and section 3 of this act upon said boards shall be
40 held to be conferred or imposed upon each regional board of finance
41 as soon as it is established under the provisions of this section.
42 Member towns of a regional school district may by majority vote
43 abolish the regional board of finance after the expiration of two years
44 from the date of its establishment.

45 (4) No regional board of education may be petitioned for the
46 establishment of a regional board of finance pursuant to subdivision
47 (1) of this subsection more than once annually.

48 (b) (1) Not later than ten days after such affirmative vote pursuant
49 to subsection (a) of this section, members of the regional board of

50 finance shall be appointed by the board of finance of each member
51 town having a board of finance or other fiscal authority of each
52 member town of the regional school district from the membership of
53 the board of finance or fiscal authority to serve a term of two years
54 from the date of such appointment, unless such member's term to the
55 local board of finance or other fiscal authority expires prior to the end
56 of such two-year term. Such appointment shall be from among
57 members of the local board of finance or other fiscal authority and
58 shall coincide with the term of the appointed member to such local
59 board of finance or fiscal authority. Each member town shall appoint
60 the same number of members to said board as the other member towns
61 of the district. The voting power of the members from each town on
62 said board shall be weighted in the proportion, within permissible
63 deviant limits consistent with federal constitutional standards, that the
64 population of each town bears to the population of the entire regional
65 school district as determined by subsection (b) of section 10-63s of the
66 general statutes and shall be subject to the reapportionment provisions
67 of sections 10-63j to 10-63t, inclusive, of the general statutes.

68 (2) Membership of a regional board of finance shall be structured as
69 follows: (A) For a regional school district with two member towns, said
70 board shall be composed of six members, three from each town, of
71 whom one from each town shall be of the minority party; (B) for a
72 regional school district with three member towns, said board shall be
73 composed of nine members, three from each town, of whom one from
74 each town shall be of the minority party; (C) for a regional school
75 district with four member towns, said board shall be composed of
76 twelve members, three from each town, of whom one from each town
77 shall be of the minority party; and (D) for a regional school district
78 with six member towns, said board shall be composed of twelve
79 members, two from each town, of whom one from each town shall be
80 of the minority party.

81 (3) For the purposes of this section, a person shall be deemed to be a
82 member of the political party on whose enrollment list such person's

83 name appears on the date of such person's appointment to a regional
84 board of finance established pursuant to subsection (a) of this section,
85 provided any person who has applied for erasure or transfer of such
86 person's name from an enrollment list shall be considered a member of
87 the party from whose list such person has so applied for erasure or
88 transfer for a period of three months from the date of the filing of such
89 application.

90 (c) In case of a vacancy in the membership of the regional board of
91 finance, unless otherwise provided by charter or special act, the
92 original appointing authority pursuant to subsection (b) of this section
93 shall appoint a successor, in the same manner as the original
94 appointment pursuant to subsection (b) of this section, who shall fill
95 the vacancy for the unexpired portion of the term.

96 (d) Any member town of a regional school district with a regional
97 board of finance established pursuant to subsection (a) of this section
98 may provide by ordinance for the appointment of not more than three
99 alternate members to its regional board of finance, subject to the
100 provisions of subsection (b) of this section concerning representation of
101 political parties. Such alternate members shall, when seated as
102 provided in this section, have all the powers and duties set forth in this
103 section, subsection (c) of section 7-392 of the general statutes, section
104 10-51 of the general statutes, as amended by this act, and section 3 of
105 this act relating to such town for said board and its members. Such
106 alternate members shall be electors and taxpayers of such town. If a
107 regular member of such board is absent or is disqualified, such absent
108 or disqualified member shall designate an alternate to act for such
109 regular member. In the event that an absent or disqualified regular
110 member fails or refuses to designate an alternate to act for such regular
111 member, the majority of the regular members of the local board of
112 finance or other fiscal authority not absent and not disqualified may
113 designate an alternate subject to the provisions of subsection (b) of this
114 section, to act for such absent or disqualified regular member.

115 (e) The members of the regional board of finance shall be sworn to a
116 faithful performance of their duties. No member shall receive
117 compensation for the members services as such, but the necessary
118 expenses of the board, when approved, shall be paid by the member
119 towns.

120 (f) The members of the regional board of finance shall choose one of
121 its members to be chairperson of said board and shall choose a clerk. If
122 such officers are not chosen by the date one month after the date of the
123 appointment of the board because of a tie vote of the members, the
124 boards of selectmen or chief executive authorities of the member towns
125 of the regional school district that the board oversees shall choose such
126 officers from the membership of the board. At all meetings of the
127 board, two-thirds of the members of the board shall constitute a
128 quorum and the concurrence of votes of one-half of the members of the
129 board shall be necessary for the transaction of business. The board may
130 hold such regular and special meetings as may be advisable at any
131 time upon giving at least twenty-four hours' notice to each member
132 before the time of such meeting. The clerk shall cause to be prepared
133 and filed with the town clerk of each member town a copy of the
134 minutes and records of each meeting held not later than two weeks
135 after the date of such meeting.

136 Sec. 2. Section 10-51 of the general statutes is repealed and the
137 following is substituted in lieu thereof (*Effective July 1, 2005*):

138 (a) The fiscal year of a regional school district shall be July first to
139 June thirtieth. The approval process of a regional school district budget
140 is as follows:

141 [Except] (1) For any regional school district that has not established
142 a regional board of finance pursuant to section 1 of this act, except as
143 otherwise provided in this subsection, not less than two weeks before
144 the annual meeting held pursuant to section 10-47, as amended by this
145 act, the regional board of education shall hold a public district meeting
146 to present a proposed budget for the next fiscal year. Any person may

147 recommend the inclusion or deletion of expenditures at such time.
148 After the public hearing, the regional board of education shall prepare
149 an annual budget for the next fiscal year, make available on request
150 copies thereof and deliver a reasonable number to the town clerk of
151 each of the towns in the district at least five days before the annual
152 meeting. At the annual meeting on the first Monday in May, the
153 regional board of education shall present a budget which includes a
154 statement of [(1)] (A) estimated receipts and expenditures for the next
155 fiscal year, [(2)] (B) estimated receipts and expenditures for the current
156 fiscal year, [(3)] (C) estimated surplus or deficit in operating funds at
157 the end of the current fiscal year, [(4)] (D) bonded or other debt, [(5)]
158 (E) estimated per pupil expenditure for the current and for the next
159 fiscal year, and [(6)] (F) such other information as is necessary in the
160 opinion of the board. Persons present and eligible to vote under
161 section 7-6 may accept or reject the proposed budget except as
162 provided [below] in this subdivision. No person who is eligible to vote
163 in more than one town in the regional school district is eligible to cast
164 more than one vote on any issue considered at a regional school
165 district meeting or referendum held pursuant to this section. Any
166 person who violates this section by fraudulently casting more than one
167 vote or ballot per issue shall be fined not less than three hundred
168 dollars or more than five hundred dollars and shall be imprisoned not
169 less than one year or more than two years and shall be
170 disenfranchised. The regional board of education may, in the call to the
171 meeting, designate that the vote on the motion to adopt the budget
172 shall be by paper ballots at the district meeting held on the budget or
173 by a "yes" or "no" vote on the voting machines in each of the member
174 towns on the day following the district meeting. If submitted to a vote
175 by voting machine, questions may be included on the ballot for
176 persons voting "no" to indicate whether the budget is too high or too
177 low, provided the vote on such questions shall be for advisory
178 purposes only and not binding upon the board. Two hundred or more
179 persons qualified to vote in any regional district meeting called to
180 adopt a budget may petition the regional board, in writing, at least

181 three days prior to such meeting, requesting that any item or items on
182 the call of such meeting be submitted to the persons qualified to vote
183 in the meeting for a vote by paper ballot or on the voting machines in
184 each of the member towns on the day following the district meeting
185 and in accordance with the appropriate procedures provided in section
186 7-7. If a majority of such persons voting reject the budget, the board
187 shall, within four weeks thereafter and upon notice of not less than one
188 week, call a district meeting to consider the same or an amended
189 budget. Such meetings shall be convened at such intervals until a
190 budget is approved. If the budget is not approved before the beginning
191 of a fiscal year, the disbursing officer for each member town, or the
192 designee of such officer, shall make necessary expenditures to such
193 district in amounts equal to the total of the town's appropriation to the
194 district for the previous year and the town's proportionate share in any
195 increment in debt service over the previous fiscal year, pursuant to
196 section 7-405 until the budget is approved. The town shall receive
197 credit for such expenditures once the budget is approved for the fiscal
198 year. After the budget is approved, the regional board of education
199 shall estimate the share of the net expenses to be paid by each member
200 town in accordance with subsection (b) of this section and notify the
201 treasurer thereof. With respect to adoption of a budget for the period
202 from the organization of the board to the beginning of the first full
203 fiscal year, the board may use [the above] such procedure at any time
204 within such period. If the board needs to submit a supplementary
205 budget, the general procedure specified in this section shall be used.

206 (2) For any regional school district that has established a regional
207 board of finance pursuant to section 1 of this act, except as otherwise
208 provided in this subsection, not less than two weeks before the annual
209 meeting held pursuant to section 10-47, as amended by this act, the
210 regional board of finance shall hold a public district meeting at which
211 itemized estimates of the expenditures of the regional board of
212 education for the ensuing fiscal year shall be presented and at which
213 all persons shall be heard in regard to any appropriation which they
214 are desirous that the regional board of finance should recommend or

215 reject. The regional board of finance shall, after such public hearing,
216 hold a public meeting at which it shall consider the estimates so
217 presented and any other matters brought to its attention and shall
218 prepare and cause to be published in a newspaper in the member
219 towns of such regional school district, if any, otherwise in a newspaper
220 having a substantial circulation in such towns, a report of a proposed
221 budget for the next fiscal year. The regional board of finance shall
222 make available, on request, copies of the proposed budget and deliver
223 a reasonable number to the town clerk of each of the member towns of
224 the district at least five days before the annual meeting. At the annual
225 meeting on the first Monday or first Tuesday in May, the regional
226 board of finance shall present an aggregate budget which includes a
227 statement of (A) estimated receipts and expenditures for the next fiscal
228 year, (B) estimated receipts and expenditures for the current fiscal
229 year, (C) estimated surplus or deficit in operating funds at the end of
230 the current fiscal year, (D) bonded or other debt, (E) estimated per
231 pupil expenditure for the current and for the next fiscal year, and (F)
232 such other information as is necessary in the opinion of the board.
233 Persons present and eligible to vote under section 7-6 may accept or
234 reject the proposed budget except as provided in this subdivision. No
235 person who is eligible to vote in more than one town in the regional
236 school district is eligible to cast more than one vote on any issue
237 considered at a regional school district meeting or referendum held
238 pursuant to this section. Any person who violates this section by
239 fraudulently casting more than one vote or ballot per issue shall be
240 fined not less than three hundred dollars nor more than five hundred
241 dollars and shall be imprisoned not less than one year nor more than
242 two years and shall be disenfranchised. The regional board of finance
243 may, in the call to the meeting, designate that the vote on the motion to
244 adopt the budget shall be by paper ballots at the district meeting held
245 on the budget or by a "yes" or "no" vote on the voting machines in each
246 of the member towns on the day following the district meeting. If
247 submitted to a vote by voting machine, questions may be included on
248 the ballot for persons voting "no" to indicate whether the budget is too

249 high or too low, provided the vote on such questions shall be for
250 advisory purposes only and not binding upon the board. Two hundred
251 or more persons qualified to vote in any regional district meeting
252 called to adopt a budget may petition the regional board of finance, in
253 writing, at least three days prior to such meeting, requesting that any
254 item or items on the call of such meeting be submitted to the persons
255 qualified to vote in the meeting for a vote by paper ballot or on the
256 voting machines in each of the member towns on the day following the
257 district meeting and in accordance with the appropriate procedures
258 provided in section 7-7. If a majority of such persons voting reject the
259 budget, the regional board of finance shall, not later than four weeks
260 thereafter and upon notice of not less than one week, call a meeting to
261 consider the same or an amended budget. Such meetings shall be
262 convened at such intervals until a budget is approved. If the budget is
263 not approved before the beginning of a fiscal year, member towns shall
264 make expenditures to the district in an amount equal to or greater than
265 the town's appropriation to the district for the previous fiscal year
266 pursuant to section 7-405 until the budget is approved. After the
267 budget is approved, the regional board of finance shall estimate the
268 share of the net expenses to be paid by each member town in
269 accordance with subsection (b) of this section and notify the treasurer
270 of such estimate. With respect to adoption of a budget for the period
271 from the organization of the regional board of finance to the beginning
272 of the first full fiscal year, the regional board of finance may use such
273 procedure at any time within such period. If the regional board of
274 finance needs to submit a supplementary budget, the general
275 procedure specified in this section shall be used. Nothing in this
276 subdivision shall be construed as authorizing the regional board of
277 finance to make line-item changes to the budget.

278 (b) For the purposes of this section, "net expenses" means estimated
279 expenditures, including estimated capital expenditures, less estimated
280 receipts as presented in a regional school district budget. On the date
281 or dates fixed by the regional board of education, each town in the
282 district shall pay a share of the cost of capital outlay, including costs

283 for school building projects under chapter 173, and current
284 expenditures necessary for the operation of the district. The regional
285 board of education shall determine the amount to be paid by each
286 member town. Such amount shall bear the same ratio to the net
287 expenses of the district as the number of pupils resident in such town
288 in average daily membership in the regional school district during the
289 preceding school year bears to the total number of such pupils in all
290 the member towns, provided that the regional board of education may
291 recalculate such amount based on the number of pupils in average
292 daily membership in the regional school district for the current school
293 year and may adjust each member town's payment to the regional
294 school district for the following fiscal year by the difference between
295 the last such payment and the recalculated amount. Until the regional
296 school district has been in operation for one year, such amounts shall
297 be based on the average daily membership of pupils in like grades
298 from each of such towns at any school at which children were in
299 attendance at the expense of such towns during the preceding school
300 year.

301 (c) The regional board of education shall deposit or invest
302 temporarily any funds which are not needed immediately for the
303 operation of the school district as permitted in section 7-400 or 7-402.
304 Any income derived from such deposits or investments shall be used
305 at least semiannually to reduce the net expenses. The regional board of
306 education shall use any budget appropriation which has not been
307 expended by the end of the fiscal year to reduce the net expenses of the
308 district for the following fiscal year. The regional board of education
309 may borrow funds temporarily and issue notes or other obligations,
310 and pay interest thereon, in anticipation of payments to be made to it
311 by a member town or the state, for the operation of its schools. Such
312 notes or obligations shall be authorized by resolution of the regional
313 board of education, and shall be general obligations of the regional
314 school district and its member towns. The date, maturity, interest rate,
315 form, manner of sale and other terms of such notes or other obligations
316 shall be determined by the regional board of education or any officer

317 or body to whom the regional board of education delegates authority
318 to make such determinations. Such notes may be renewed from time to
319 time, provided all such notes shall mature and be payable no later than
320 the end of the fiscal year during which such member town or state
321 payments are payable.

322 (d) Upon the recommendation and the approval of a majority of
323 members on the [board, a] regional board of education, such board
324 may create a reserve fund to finance a specific capital improvement or
325 the acquisition of any specific piece of equipment. Such fund shall
326 thereafter be termed "reserve fund for specific capital improvements or
327 equipment purchases". No annual appropriation to such fund shall
328 exceed one per cent of the annual district budget. Appropriations to
329 such fund shall be included in the share of net expenses to be paid by
330 each member town. The regional board of education shall annually
331 submit a complete and detailed report of the condition of such fund to
332 the member towns, or the regional board of finance, if applicable.

333 (e) The amount of expenditures by the regional board of education
334 shall not exceed the district's budget by more than one-quarter of one
335 per cent unless approved by a majority of voters of the member towns.

336 Sec. 3. (NEW) (*Effective July 1, 2005*) (a) Each regional board of
337 education shall prepare an itemized estimate of the cost of
338 maintenance of public schools for the ensuing year and, in each district
339 having a regional board of finance, shall submit such estimate to the
340 regional board of finance not later than two months preceding the
341 annual meeting of the regional board of finance. The money
342 appropriated by any member town of a regional school district for the
343 maintenance of public schools shall be expended by and in the
344 discretion of the regional board of education. Except as provided in
345 this subsection, any such regional board of education may transfer any
346 unexpended or uncontracted-for portion of any appropriation for
347 school purposes to any other item of such itemized estimate, provided
348 at the time of such transfer the regional board of education shall

349 report, as part of the public record, a detailed written statement for
350 each such transfer including, but not limited to, (1) the reason for the
351 transfer, (2) an identification of the line item account and the dollar
352 amount that funds are being transferred from and to, (3) the intended
353 use of the funds if the transfer is approved, and (4) the fiscal impact on
354 the line item account that funds are being transferred from. Regional
355 boards of education may, by adopting policies and procedures,
356 authorize designated personnel to make limited transfers under
357 emergency circumstances if the urgent need for the transfer prevents
358 the regional board of education from meeting in a timely fashion to
359 consider such transfer. All transfers made in such instances shall be
360 announced at the next regularly scheduled meeting of the regional
361 board of education. Expenditures by the regional board of education
362 shall not exceed the appropriation made by the member towns, with
363 such money as may be received from other sources for school purposes
364 except as provided for by subsection (e) of section 10-51 of the general
365 statutes, as amended by this act. The annual report of the regional
366 board of education shall, in accordance with subsection (b) of this
367 section, include a summary showing (A) the total cost of the
368 maintenance of schools, (B) the amount received from the state and
369 other sources for the maintenance of schools, (C) the net cost to the
370 municipality of the maintenance of schools, and (D) the reason for any
371 transfer of funds made pursuant to this subsection, including the
372 identification of the line item account and dollar amount that funds are
373 being transferred to and from, the identified use of the funds if the
374 transfer is approved, and the fiscal impact on the line item account that
375 funds are being transferred from. At the end of each fiscal year, the
376 regional board of education shall summarize the number and types of
377 fiscal transfers made, the aggregate amount transferred to and from
378 each account and the impact of such transfers. For purposes of this
379 subsection, "meeting" means a meeting, as defined in section 1-200 of
380 the general statutes.

381 (b) The secretary of the regional board of education shall keep a
382 record of all its proceedings in a book which such secretary shall

383 provide for that purpose at the expense of the member towns and shall
384 submit to the member towns at such towns' annual meetings a report
385 of the actions of the regional board of education. The report of the
386 secretary and of the superintendent of schools shall be printed with the
387 reports of the member towns' officers. The superintendent of schools
388 shall report to the Commissioner of Education such returns and
389 statistics respecting the schools of the regional school district as the
390 commissioner requests.

391 Sec. 4. Section 10-47 of the general statutes is repealed and the
392 following is substituted in lieu thereof (*Effective July 1, 2005*):

393 Regional boards of education shall have all the powers and duties
394 conferred upon boards of education by the general statutes not
395 inconsistent with the provisions of this part. Such boards may
396 purchase, lease or rent property for school purposes and, as part of the
397 purchase price may assume and agree to pay any bonds or other
398 capital indebtedness issued by a town for any land and buildings so
399 purchased; shall perform all acts required to implement the plan of the
400 committee for the transfer of property from the participating towns to
401 the regional school district and may build, add to or equip schools for
402 the benefit of the towns comprising the district. Such boards may
403 receive gifts of real and personal property for the purposes of the
404 regional school districts. [The] In a district without a regional board of
405 finance, the regional [school district] board of education's annual
406 meeting [shall be the district meeting] at which the annual budget is
407 first presented for adoption [and] shall be held the first Monday or the
408 first Tuesday in May. [The boards] In a district with a regional board of
409 finance, the regional school district annual meeting at which the
410 budget is presented for adoption shall be held the first Monday or first
411 Tuesday in May. Regional boards of education may convene special
412 district meetings when they deem it necessary. District meetings shall
413 be warned and conducted in the same manner as are town meetings.
414 For such purposes, the chairperson of the board shall have the duties
415 of the board of selectmen and the secretary shall have the duties of the

416 town clerk.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	10-51
Sec. 3	<i>July 1, 2005</i>	New section
Sec. 4	<i>July 1, 2005</i>	10-47

Statement of Purpose:

To allow member towns of regional school districts the option of forming a regional finance board.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]